IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 558 OF 1991

The State of Maharashtra... ... Appellant.
Versus
Manikchand Gulabchand Jain.. .... Respondent.

Mr.K.K.Tated, Asstt.Government Pleader
for the Appellant.
Mr.S.M.Gorwadkar for the Respondent.

CORAM : SWATANTER KUMAR, C.J. &
S.C.DHARMADHIKARI, J.

DATED : 27TH APRIL, 2007.

P.C.:

Learned Counsel appearing for the respective parties, commonly concede that the present case is squarely covered on facts and law by the judgment of the Division Bench of this Court passed in First Appeal No. 757 of 2003 decided on 31st March, 2004. The said judgment relates to the same notification and acquisition of the land from the same village.

2. In view of the common stand taken, this appeal is also disposed of in terms of the judgment and order passed in First Appeal No. 757 of 2003 dated 31st March, 2004. The claimant would be entitled to the

same relief i.e. Rs.20/- per sq. mtr. with consequential benefits. Cross objections to that extent are allowed.

3. This appeal is disposed of, accordingly. Decree be drawn, accordingly.

Sd/-

CHIEF JUSTICE

Sd/-

S.C.DHARMADHIKARI, J.